



**STATE OF CONNECTICUT
JUDICIAL BRANCH**

EXTERNAL AFFAIRS DIVISION

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**Testimony of Stephen N. Ment
Judiciary Committee Public Hearing
March 26, 2009**

**Senate Bill 810, An Act Concerning The Tender Years Exception
To The Hearsay Evidence Rule**

Thank you for the opportunity to testify, on behalf of the Judicial Branch, on Senate Bill 810, *An Act Concerning the Tender Years Exception to the Hearsay Evidence Rule*. This bill, which is part of the Judicial Branch's legislative package, would conform the statutory "tender years" exception to the exception found in the Code of Evidence.

As members of the Committee may recall, during the 2007 legislative session, the legislature passed a "tender years" exception to the hearsay rule. Simultaneously, the Judicial Branch's Code of Evidence Oversight Committee, then-chaired by Justice Joette Katz, drafted an amendment to the Connecticut's Code of Evidence on the same issue. Subsequently, this proposal was adopted by the judges of the Superior Court and made a part of the Code of Evidence.

Quite frankly, the two versions are nearly identical and differ in only three slight, technical ways. The bill before you would conform the statutory language to the Code's language in two of these instances; a proposed amendment attached to this testimony would conform it in the third instance. Passage of this bill would eliminate any chance of potential confusion between the two versions.

Thank you for the opportunity to testify.

**Proposed Amendment to Senate Bill 810, AAC The Tender Years Exception To
The Hearsay Evidence Rule**

1. In line 4, insert after "younger", "at the time of the statement".